

U.S. DEPARTMENT OF COMMERCE
CHARTER OF THE
MARINE PROTECTED AREAS FEDERAL ADVISORY
COMMITTEE

ESTABLISHMENT

In accordance with Executive Order 13158, the Department of Commerce established the Marine Protected Areas Federal Advisory Committee (MPAFAC) to provide advice to the Secretaries of Commerce and the Interior on implementation of Section 4 of the Order. The Committee will operate solely in an advisory capacity and in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

OBJECTIVES AND DUTIES

1. The MPAFAC will provide such advice and recommendations on how to fulfill responsibilities under Section 4 of the Executive Order as may be requested by the Secretary of Commerce through the Under Secretary of Commerce for Oceans and Atmosphere and by the designee of the Secretary of the Interior.
2. The MPAFAC may, with the concurrence of the Under Secretary of Commerce for Oceans and Atmosphere and the Department of the Interior, establish such subcommittees of its members as may be necessary, subject to the provisions of the Department of Commerce Committee Management Handbook.
3. The MPAFAC may establish scientific or other working groups consisting of MPAFAC members and/or outside experts, i.e., MPA scientists and resource managers with expertise in marine, ocean, and outer continental shelf science, and representatives of the Department of Commerce and the Department of the Interior, subject to the provisions of the Department of Commerce Committee Management Handbook. Outside experts will be selected by the MPAFAC in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Department of the Interior. Individual members of the MPAFAC may meet with working group members as needed. Any working groups created shall be co-chaired by a member of the MPAFAC and a representative of the National Marine Protected Areas Center. The working groups shall engage in gathering information, developing work plans, performing studies, drafting reports, and preparing preliminary findings for subsequent deliberation by the Committee at a FACA-compliant meeting.
4. The MPAFAC will deliberate on materials submitted by scientific, or other working groups in a FACA-compliant meeting before providing the Committee's recommendations to the Secretary of Commerce and the Secretary of the Interior.

MEMBERS AND CHAIRPERSON

1. MPAFAC shall consist of 30 non-federal members appointed by the Secretary of Commerce, in consultation with the Secretary of the Interior. It shall be composed of knowledgeable representatives of stakeholder groups, such as:

- Scientists and others representing the disciplines which study various resources related to coastal and ocean ecosystems, such as ecologists, oceanographers, fisheries scientists, geologists, economists, engineers, anthropologists, archeologists, maritime historians and sociologists, educators, and others.
- Resource managers for marine areas and the Great Lakes, such as representatives from coastal states, Native American tribes, Alaska Native organizations, territories and localities, as well as from regional fishery management councils, interstate fisheries commissions, and federal advisory committees responsible for advising federal agencies with jurisdiction over coastal and ocean resources.
- Conservation, philanthropic, and other non-governmental organizations involved in coastal and ocean resource issues.
- Affected interest groups, such as representatives from the offshore minerals, marine transportation, fishing (recreational and commercial), boating, diving, recreational, maritime and historical communities.

2. In addition to the Department of Commerce and the Department of the Interior, ex officio non-voting membership on the full Committee may be granted to the Department of Defense, the Department of State, the U.S. Agency for International Development, the Department of Homeland Security (U.S. Coast Guard), the Environmental Protection Agency, the Department of Agriculture, the Department of Energy, and the National Science Foundation.

3. The Chairperson of MPAFAC shall be selected from the membership by a majority vote of the members present at a meeting of the full Committee. In a separate election, a Vice-Chairperson of MPAFAC shall be selected from the membership by a majority vote of the members present. The Chairperson and Vice-Chairperson will each serve a two-year term.

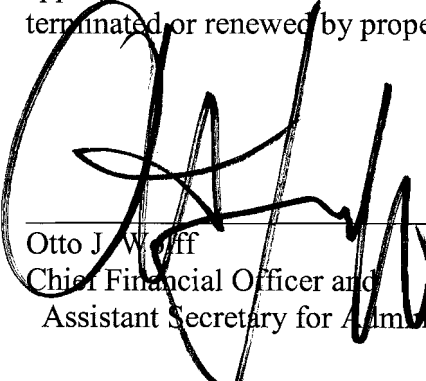
4. All members will serve one, four-year nonrenewable term, as selected by the Secretary of Commerce, in consultation with the Secretary of the Interior. In the event of a vacancy, the Secretary of Commerce, in consultation with the Secretary of the Interior, shall appoint a new member to serve the remainder of the unexpired term of the vacancy. Such partial terms shall not be counted toward the one-term maximum. All members serve at the discretion of the Secretary of Commerce. Regardless if their terms have expired, members shall continue to serve until their replacement has been appointed.

ADMINISTRATIVE PROVISIONS

1. MPAFAC shall provide recommendations to the Secretary of Commerce through the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Interior.
2. MPAFAC shall meet at least once annually.
3. The National Oceanic and Atmospheric Administration (NOAA) will provide staff support for MPAFAC. In addition, the Department of the Interior may detail staff to NOAA on a reimbursable basis to provide additional staff support. A NOAA employee from the National Marine Protected Areas Center will serve as the Designated Federal Officer for MPAFAC.
4. The annual cost of operation is estimated to be \$250,000, which includes 1.0 person-years for staff support. This estimate is exclusive of the cost of operating subcommittees and working groups established under Objectives and Duties, paragraphs 2 and 3 of this charter. This estimate also does not include compensation for federal ex officio members appointed to serve on MPAFAC since they are already covered by their existing compensation system.
5. Members of the MPAFAC, who serve in a representative capacity, will not be compensated for their services, but will, upon request, be allowed travel and per diem expenses as allowed by 5 U.S.C. 5701 et seq. and 5 U.S.C. App. 2, section 7(d)(I)(B).

DURATION

This charter shall terminate two years from the date of the filing of this charter with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority.



Otto J. Wolff
Chief Financial Officer and
Assistant Secretary for Administration

11-19-06
Date